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IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Written statement submitted by the Association for World Education, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[25 March 1997]

Constitution of the Islamic Resistance Movement Hamas: 18 August 1988

1. The Commission and the Centre for Human Rights should examine the fundamental texts of today's political and religious organizations in order to highlight from their contents those ideas, doctrines and ideologies that continue to create stereotype images and conspiracy theories leading to hatred, discrimination and conflict. (For some examples of conspiracy theories, see Daniel Pipes, The Hidden Hand. Middle East Fears of Conspiracy, New York, St. Martin's Press, 1996.)

2. Hitler affirmed in the preface to Mein Kampf 70 years ago: "The unity and uniformity of a doctrine can only be safeguarded if it has been fixed forever in a written text". His two volumes became a compendium of Nazi doctrine, a basic feature of which was a racial and religious hatred of the Jews, depicted as an evil race, whose ultimate aim was to destroy the "aryan" race and dominate the world. Hitler's variations on this grotesque theme were drawn from a crude forgery, "The Protocols of the Elders of Zion". The long history of this 1903 myth of conspiracy, and the havoc left in its wake, was recently documented in full by the French sociologist, Pierre-André Taguieff. (Paris, Berg International, 2 vols., 1992)

3. The 18 August 1988 Constitution of the Palestinian Islamic Hamas Movement is one example of this phenomenon. It proclaims a total opposition to any Middle East peace process, affirming that a jihad must be waged until Israel's destruction, after which the Land will be cleaned from impurity. Article 13 affirms: "There is no solution for the Palestinian question except through jihad. Initiatives, proposals and international conferences are all a waste of time and vain endeavours". This was reiterated in a recent official statement: "We in the Islamic resistance, Hamas, call on our people and all Islamic, Palestinian and Arab forces to deliver the mercy bullet to the dying peace process and to unite efforts in resisting the criminal plots of the enemy". (International Herald Tribune, 25 March 1997, p. 8, col.2.) Referring to Zionists and Jews (called "the enemies"), the Hamas Constitution states: "Their plan is embodied in 'The Protocols of the Elders of Zion'" (art. 32).

4. Article 22 states that "the enemies" have long since taken over the world's financial centres, thus controlling the world's media ("news agencies, press, broadcasting, publications, etc."). "They" constantly stirred up revolutions, such as the 1789 French Revolution and the communist revolutions. "They" were responsible for the First and Second World Wars. Colonization was of their making, in order to exploit resources and spread corruption. Jews and Zionists established "the League of Nations through which they could rule the world" and also instigated its replacement by "the United Nations and the Security Council" for the same reason. "They" are behind all wars taking place everywhere. Last but not least, "they" formed secret societies such as Freemasons, Rotary Clubs, the Lions [Clubs], the B'nai B'rith and other societies worldwide for the sole purpose of sabotaging society and achieving their sordid interests.

5. Such conspiracy theories of history stress that the holders of power - "the enemy" - are operating from the shadows, often in a faceless way. These imaginary individuals - who are able to manipulate events - are not political office holders who can be democratically voted out of office; they can only be destabilized by terror. The link between such conspiracy theories and the current use of indiscriminate terrorism by Hamas - and by other groups - is direct.

6. Given this Hamas Constitution of intolerance, hatred and terrorism, the fundamental question remains: how should democratic States and the international community face such a resolute and ruthless enemy that is willing to use every diabolic technique of terror, as defined by Saint-Just 200 years ago in his L'Apologie de la terreur: "Terror is legitimate; it must be maintained as a regular and necessary system, a permanent regime".

7. Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, reads: "In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part ...". Article III

provides that genocide shall be punishable, but also: conspiracy to commit genocide; direct and public incitement to commit genocide; attempt to commit genocide; complicity to commit genocide.

8. This links up with article 4 of the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, condemning "all propaganda and all organizations which ... attempt to justify or promote racial hatred and discrimination in any form"; and obliges under 4 (a) State parties to declare as "an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons". Under article 4 (b), States parties "shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law".

9. Have not the Commission and the High Commissioner for Human Rights a duty to denounce all those movements whose constitutions or basic charters spell out their murderous aspirations, often transforming religious and spiritual values to narrow politico-ideological ends?